

REMARKS

Please reconsider this application in view of the above amendments and the following remarks.

- Claims 1-6, 8, and 34 are pending.
- Claims 1-6, 8, and 34 are rejected.
- Claims 7 is canceled.
- Claims 9-33 are withdrawn.

Applicants have amended Claim 4 to depend from Claim 3.

Rejections based on 35 USC § 112

The Examiner rejected Claims 3-5 as failing to comply with the written description requirement. The Examiner contends that the specification fails to adequately describe the subject matter of these claims.

Contrary to the Examiner's contention that the "[s]pecification fails to teach the polymer and pigment derivative combination", the specification teaches a plurality of kinds of pigment dispersion liquid are explained as examples. See, for example, table 1 and pages 56-57.

Please remove this rejection of Claims 3-5.

The Examiner has rejected Claim 4 as not having adequate antecedent basis. Applicant trusts that the amendment to Claim 4 overcomes this rejection.

Please remove this rejection of Claim 4.

Rejections based on 35 USC § 103(a)

The Examiner has rejected Claims 1-3, 6, 8, and 34 under 35 USC § 103(a) as being unpatentable over Aida (US 6,235,099).

But Aida fails to teach or make obvious a "difference between D_{90} and D_{10} ", which is the difference in the parameter regarding a distribution of particle size, as limited in Claim 1.

Since the Examiner did not recognize that this limitation was absent from Aida, the Examiner has not stated a prima facie case of obviousness for all of the limitations of Claim 1.

The remaining Claims 2-3, 6, 8, and 34 all ultimately depend from Claim 1 and are patentable over the cited reference for at least the same reasons as discussed above for Claim 1. Since the Examiner has not made out a prima facie case of obviousness for Claims 2-3, 6, 8, and 34, Applicant is under no duty to address the rejection of those claims. But Applicant does not acquiesce to the Examiner's characterization of the Aida reference vis-a-vis these claims and reserves the right to address these claims individually should a duty to do so arise in the future.

Please remove these rejections of Claim 1-3, 6, 8, and 34.

Additionally, Applicant points out that Claim 34 contains the limitation "wherein the polar group is selected from the group consisting of a sulfonic acid group, a carboxyl group, a phosphate group, a borate group, a hydroxy group, and a group in the form of a salt thereof." Aida does not teach or make obvious this limitation. Therefore, Claim 34 is separately patentable for this reason, as well.

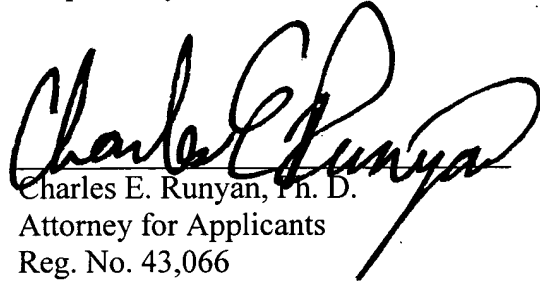
Please remove the rejection of Claim 34 for this additional reason.

Since all claims are in a condition for allowance, please issue a Notice of Allowability so stating. If I can be of any help, please contact me.

Respectfully submitted,

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